

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 1795**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masataka OTA et al.

Group Art Unit: 1795

Application No.: 10/589,434

Examiner: C. LEE

Filed: August 15, 2006

Docket No.: 128891

For: FUEL CELL SYSTEM CONTROL DEVICE

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the March 1, 2010 Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks.

I. Claim Rejections Under 35 U.S.C. §103

The Office Action rejects claims 1-6 under 35 U.S.C. §103(a) as allegedly unpatentable over Fujio (Japan Patent Application Publication No. 11-214025) in view of Wheat (U.S. Patent No. 6,727,013); and rejects claims 7 and 8 under 35 U.S.C. §103(a) as allegedly unpatentable over Fujio in view of Wheat and Iwasaki (U.S. Patent No. 6,497,972). Applicants respectfully traverse the rejections.

A. Independent Claims 1 and 6

Applicants respectfully submit that Fujio fails to describe at least a control device that controls a fuel cell system wherein it is determined whether to stop power generation